



# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

In replying refer to:  
Public Notice Number: NAN-2013-00898-ESP  
Issue Date: August 20<sup>th</sup>, 2013  
Expiration Date: September 21<sup>st</sup> 2013

**To Whom It May Concern:**

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

**APPLICANT:** Shelter Island Yacht Club.  
ATTN: William P. Enright, Commodore  
P.O. Box 546  
Shelter Island Heights, N.Y. 11965

**ACTIVITY:** Dredge with ten years maintenance and upland disposal

**WATERWAY:** Dering Harbor, Southold Bay

**LOCATION:** Village/Town of Shelter Island Heights, Suffolk County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

**PLEASE USE 18-CHARACTER FILE NUMBER ON ALL CORRESPONDENCE**

CENAN-OP-RE  
PUBLIC NOTICE NO. NAN-2013 – 00898-ESP

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various lifestages of some EFH-designated species as a result of a temporary increase in turbidity during construction. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial due to time of year work restrictions. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

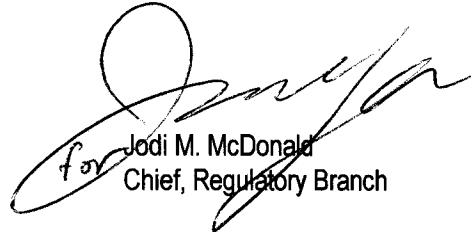
In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation permit

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8522 and ask for Craig Spitz.

CENAN-OP-RE  
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For more information on New York District Corps of Engineers programs, visit our website at  
<http://www.nan.usace.army.mil>



Jodi M. McDonald  
Chief, Regulatory Branch

Enclosures

### WORK DESCRIPTION

The applicant, Shelter Island Yacht Club requested Department of the Army authorization to dredge with ten years maintenance in Dering Harbor, Southold Bay at the Village/Town of Shelter Island Heights, Suffolk County, N.Y. with upland disposal.

The regulated work involves continued maintenance dredging by Shelter Island Yacht Club via land-based and barge-mounted clamshell bucket of approximately 60 cubic yards of material from a 20-foot wide by 65-foot long area immediately adjacent to the existing south pier and approximately 65 cubic yards of the same from a 10-foot wide by 132-foot long "L" shaped area immediately adjacent to the existing north pier. Dredging would be performed to a maximum depth of 6 feet below the plane of mean low water. The resultant dredged material, composed mainly of sand and silt, would be disposed of at a state-approved upland location so as not to reenter any waterway or wetlands.

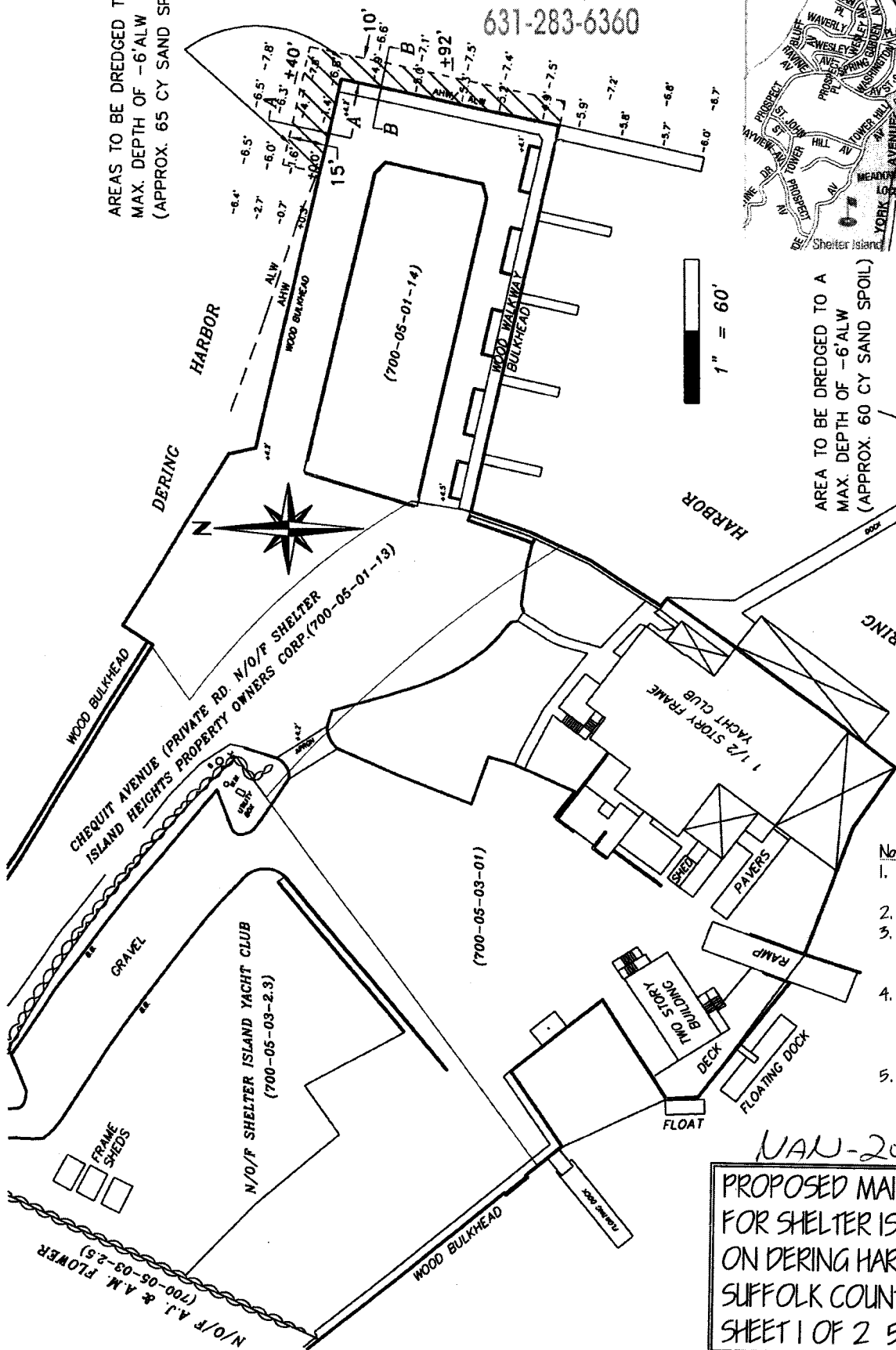
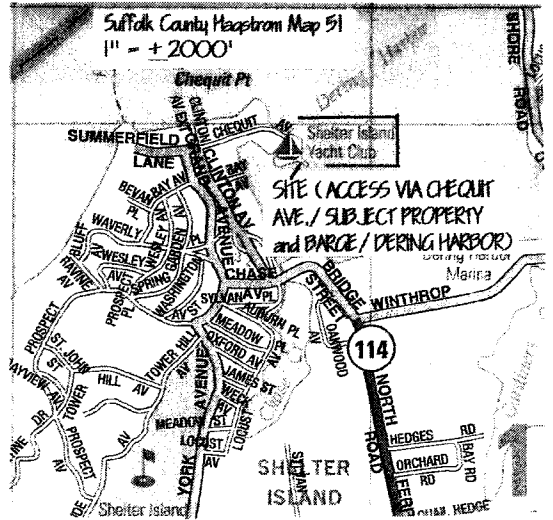
Subsequent maintenance dredging is anticipated to be undertaken up to one event per year, if a 10-year permit is issued, with an approximate removal of 125 cubic yards of material per dredging event. Dredged material placement would be at the same site or other upland location.

The applicant has stated that they have avoided, minimized, and mitigated for impacts proposed to the maximum extent practicable by placing the material in a state-approved upland location and minimizing the amount of dredging necessary to maintain navigable water depths at an existing marina.

The stated purpose of this regulated work is to continue to maintain safe navigable water depths for the vessels that use an existing marina.

E N - CONSULTANTS  
1319 NORTH SEA RD.  
SOUTHAMPTON, NY 11968  
631-283-6360

AREAS TO BE DREDGED TO A  
MAX. DEPTH OF -6'ALW  
(APPROX. 65 CY SAND SPOIL)



AREA TO BE DREDGED TO A  
MAX. DEPTH OF -6'ALW  
(APPROX. 60 CY SAND SPOIL)

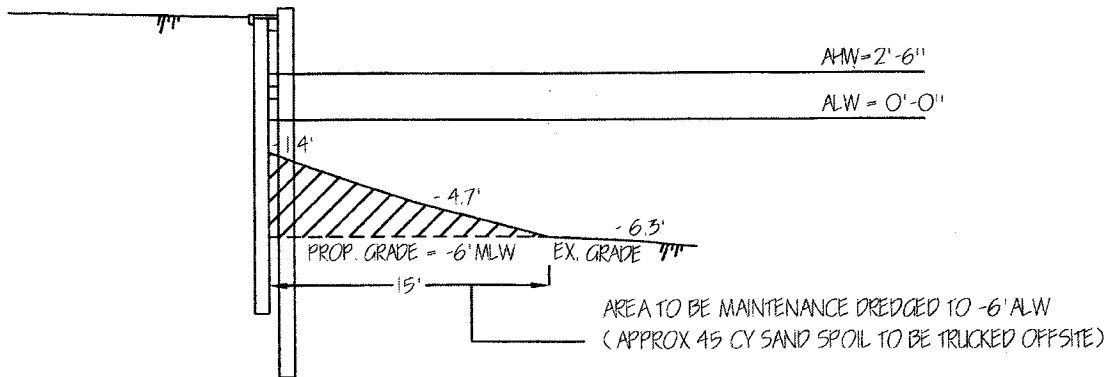
Notes:

1. Purpose: To maintain adequate water depth for boat dockage in commercial marina
2. Datum: MLW
3. Water depths transcribed from hydrographic survey prepared by Peconic Surveyors, P.C., last dated January 17, 2013
4. Approximately 125 cubic yards sand/ silt spoil to be dredged via land-based and barge-mounted clamshell bucket crane and trucked offsite to approved upland site
5. Project location: Shelter Island Yacht Club, 11 Chequit Avenue, Shelter Island, NY; SCTM 700-5-1-14 & 700-5-3-1

NAV-2013-00548-ESP  
PROPOSED MAINTENANCE DREDGING  
FOR SHELTER ISLAND YACHT CLUB  
ON DERING HARBOR, SHELTER ISLAND,  
SUFFOLK COUNTY, NEW YORK  
SHEET 1 OF 2 5/31/13

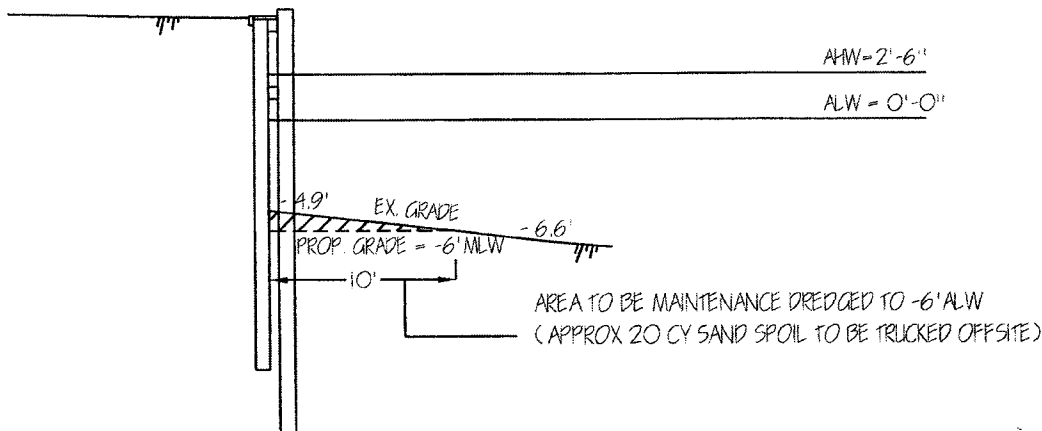
# SECTION A-A: THRU MAINTENANCE DREDGING

1" = 10'



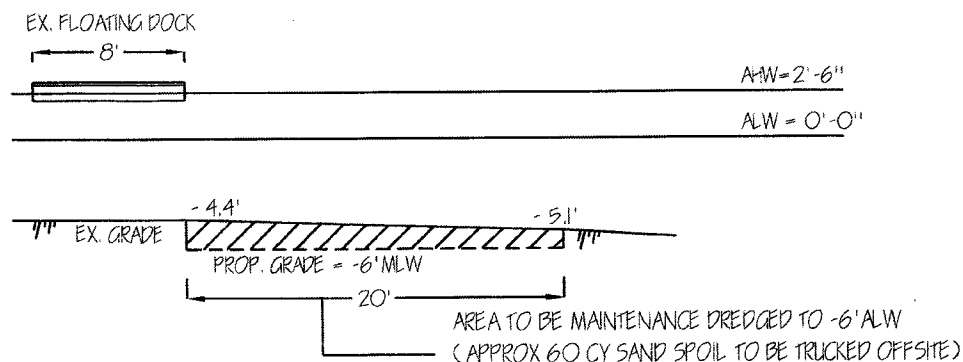
# SECTION B-B: THRU MAINTENANCE DREDGING

1" = 10'



# SECTION C-C: THRU MAINTENANCE DREDGING

1" = 10'



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DAU-2013-00898 - FSP

PROPOSED MAINTENANCE DREDGING  
FOR SHELTER ISLAND YACHT CLUB  
ON DERING HARBOR, SHELTER ISLAND,  
SUFFOLK COUNTY, NEW YORK  
SHEET 2 OF 2 5/31/13